

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 0:24-cv-61200-LEIBOWITZ/AUGUSTIN-BIRCH

MARK APPELGREN,

Plaintiff,

v.

SPIRIT AIRLINES, INC.,


Defendant.

ORDER

THIS CAUSE is before the Court on Defendant's Motion to Dismiss [ECF No. 8], filed on August 9, 2024. In lieu of responding to the Motion, Plaintiff filed an Amended Complaint [ECF No. 10]. Because the Amended Complaint supersedes the initial complaint, Defendant's Motion to Dismiss is moot. *See Dresdner Bank AG, Dresdner Bank AG in Hamburg v. M/V OLYMPIA VOYAGER*, 463 F.3d 1210, 1215 (11th Cir. 2006); *Johnson Controls, Inc. v. Uribeazo*, 2012 WL 6652934, at *1 n.1 (S.D. Fla. Dec. 21, 2012). Accordingly, it is hereby

ORDERED AND ADJUDGED that Defendant's Motion to Dismiss [ECF No. 8] is **DENIED AS MOOT** without prejudice.

DONE AND ORDERED in the Southern District of Florida on August 20, 2024.


DAVID S. LEIBOWITZ
UNITED STATES DISTRICT JUDGE

cc: counsel of record